

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

EMMETT GRAHAM, JR.,

Plaintiff,

v.

Civil Action No. 2:05cv89

JOHN ASHCROFT, et. al.,

Defendants.

ORDER

On June 11, 2007, Plaintiff filed a Notice of Appeal from the Court's May 24, 2007 Order dismissing the above-styled civil action. Also on June 11, 2007, Plaintiff filed an Affidavit Accompanying Motion For Permission To Appeal In Forma Pauperis (See Docket No. 38). The Court will interpret Plaintiff's Affidavit as being a Motion For Leave to Appeal In Forma Pauperis. Having considered the Plaintiff's Affidavit, it is

ORDERED that, pursuant to Rule 24 of the Federal Rules of Appellate Procedure, the Plaintiff's Motion for Leave to Appeal In Forma Pauperis shall be, and the same hereby is, **GRANTED**.

ENTER: August 7th, 2007

/s/ Robert E. Maxwell

United States District Judge